

WEST VIRGINIA LEGISLATURE
2019 FIRST EXTRAORDINARY SESSION

Introduced

House Bill 146

BY DELEGATE HANSHAW (MR. SPEAKER) AND MILEY

[BY REQUEST OF THE EXECUTIVE]

[Introduced June 17, 2019; Referred
to the Committee on Finance]

1 A BILL to amend and reenact §16-53-1 of the Code of West Virginia, 1931, as amended, relating
 2 substance use disorder; clarifying who is eligible to receive funds; providing the secretary
 3 with discretion to decide who is eligible to funds; and removing certain limitations on
 4 funding limitations.

Be it enacted by the Legislature of West Virginia:

ARTICLE 53. ESTABLISHING ADDITIONAL SUBSTANCE ABUSE TREATMENT FACILITIES.

§16-53-1. Establishment of substance ~~abuse~~ use disorder treatment and recovery facilities services.

1 (a) The Secretary of the Department of Health and Human Resources shall ensure that
 2 ~~beds for purposes of providing~~ substance ~~abuse~~ use disorder treatment ~~and/or~~ or recovery
 3 services, or both, ~~in existing or newly constructed facilities~~ are made available in locations
 4 throughout the state which the department determines to be the highest priority for serving the
 5 needs ~~of the citizens~~ of the state.

6 (b) The secretary shall identify and allocate ~~the beds~~ funds to ~~privately owned~~ appropriate
 7 facilities to provide substance ~~abuse~~ use disorder treatment services, which shall be provided via
 8 an inpatient or outpatient service model. ~~(c)~~ These facilities shall:

- 9 (1) Give preference to West Virginia residents;
- 10 (2) Accept payment from private pay patients, third person payors, or patients covered by
 11 Medicaid;
- 12 (3) Offer ~~long-term~~ treatment, based upon need; ~~of up to one year;~~ and
- 13 (4) Work closely with the Adult Drug Court Program, provided for in §62-15-1 *et seq.* of
 14 this code; and
- 15 (5) Be licensed by this state to provide substance use disorder treatment services.

16 (c) The secretary shall identify and allocate funds to appropriate facilities to provide
17 recovery services. Peer-led facilities shall follow standards set forth by the National Alliance for
18 Recovery Residences and offer access to peer support services.

19 ~~(d) Any facility subject to the provisions of this article must:~~

20 ~~(1) Be licensed by this state to provide addiction and substance abuse services; or~~

21 ~~(2) Be a peer-led facility that follows standards set forth by the National Alliance for~~
22 ~~Recovery Residences and offers access to peer support services~~

23 (d) Other programs or projects designed to address substance use disorder, and a study
24 or studies designed to evaluate substance use prevention education programs in schools, may
25 be eligible for funding at the secretary's discretion and as funds are available.

NOTE: The purpose of this bill is to infuse additional resources into the Ryan Brown Fund and create greater flexibility in that fund for purposes beyond for long-term beds such as recovery housing and other SUD related service models that may exist.

Strike-throughs indicate language that would be stricken from a heading or the present law and underscoring indicates new language that would be added.